

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED  
MAR 03 2008

**UNITED STATES OF AMERICA,**

) Magistrate Docket No. 3 '08 MJ 0641

Plaintiff,

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

v.

) COMPLAINT FOR VIOLATION OF...

**Alejandro SAUCEDO-Ruvalcaba,**

) Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

Defendant

)  
\_\_\_\_\_  
)

The undersigned complainant, being duly sworn, states:

On or about **February 29, 2008** within the Southern District of California, defendant, **Alejandro SAUCEDO-Ruvalcaba**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

*Ismael A. Canto*  
SIGNATURE OF COMPLAINANT  
Ismael A. Canto  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3<sup>rd</sup> DAY OF March 2008

*Cathy A. Bencivengo*  
Cathy A. Bencivengo  
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:**  
**Alejandro SAUCEDO-Ruvalcaba**

**PROBABLE CAUSE STATEMENT**

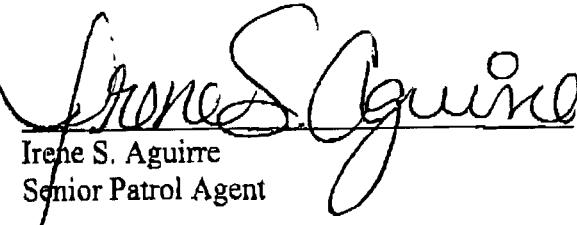
I declare under the penalty of perjury that the following statement is true and correct:

On February 29, 2008, Agent J. Sanchez was performing line watch operations near an area commonly known as "Foxtrot Gate". This area is approximately 1 mile west and 50 yards north of the San Ysidro, California, Port of Entry. The daily assigned east scope advised via service radio of one individual near this area. This area is frequently used by undocumented aliens to further their entry into the United States. Agent Sanchez responded to the radio call. After a brief search, agent Sanchez found an individual attempting to conceal in the brush. Due to the close proximity to the United States / Mexico International Boundary Fence, Agent Sanchez identified himself as a Border Patrol Agent, and conducted an immigration inspection. The subject, later identified as the defendant **Alejandro SAUCEDO- Ruvalcaba**, admitted to being a citizen and national of Mexico illegally present in the United States without any documents to legally enter or remain in the United States. At approximately 9:45 am, Agent Sanchez arrested the defendant and transported him to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on September 8, 2005 through the Port of Entry at Hidalgo, Texas. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

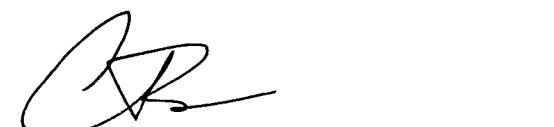
The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.

Executed on March 1, 2008 at 10:00 a.m.



Irene S. Aguirre  
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **February 29, 2008**, in violation of Title 8, United States Code, Section 1326.

  
Cathy A. Bencivengo  
United States Magistrate Judge

3/1/08 @ 11:00 AM  
Date/Time